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BEFORE THE  
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. VN-2008-1885

**AMANDA MICHELLE JINES**  
1177 W. Congress Street, Apt. 40  
San Bernardino, CA 92410

**A C C U S A T I O N**

Vocational Nurse License No. VN 232341

Respondent.

Complainant alleges:

**PARTIES**

1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this Accusation solely in her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric Technicians, Department of Consumer Affairs (Board).

2. On or about January 30, 2008, the Board issued Vocational Nurse License No. VN 232341 to Amanda Michelle Jines (Respondent). The Vocational Nurse License was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2011, unless renewed.

**JURISDICTION**

3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

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1       "(b) Use any controlled substance as defined in Division 10 of the Health and Safety  
2 Code, or any dangerous drug as defined in Section 4022, or alcoholic beverages, to an extent or in  
3 a manner dangerous or injurious to himself or herself, any other person, or the public, or to the  
4 extent that the use impairs his or her ability to conduct with safety to the public the practice  
5 authorized by his or her license.

6       "(c) Be convicted of a criminal offense involving possession of any narcotic or dangerous  
7 drug, or the prescription, consumption, or self-administration of any of the substances described  
8 in subdivisions (a) and (b) of this section, in which event the record of the conviction is  
9 conclusive evidence thereof. . . ."

#### 10                                   REGULATORY PROVISIONS

11       9. California Code of Regulations, title 16, section 2518.6, states, in pertinent part:

12       "(b) A licensed vocational nurse shall adhere to standards of the profession and shall  
13 incorporate ethical and behavioral standards of professional practice which include but are not  
14 limited to the following:

15       . . . .

16       "(4) Abstaining from chemical/substance abuse; and

17       . . . .

18       "(c) A violation of this section constitutes unprofessional conduct for purposes of  
19 initiating disciplinary action.

20       10. California Code of Regulations, title 16, section 2521 states, in pertinent part:

21       "For the purposes of denial, suspension, or revocation of a license pursuant to Division 1.5  
22 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be  
23 considered to be substantially related to the qualifications, functions or duties of a licensed  
24 vocational nurse if to a substantial degree it evidences present or potential unfitness of a licensed  
25 vocational nurse to perform the functions authorized by his license in a manner consistent with  
26 the public health, safety, or welfare. . . ."

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1 **COST RECOVERY**

2 11. Section 125.3 provides, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licensee found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Convictions of Substantially Related Crimes)**

8 12. Respondent is subject to disciplinary action under sections 490 and 2878,  
9 subdivision (f), in conjunction with California Code of Regulations, title 16, section 2521, in that  
10 on or about April 14, 2009, Respondent was convicted of a crime substantially related to the  
11 qualifications, functions or duties of a licensed vocational nurse which to a substantial degree  
12 evidences her present or potential unfitness to perform the functions authorized by her license in a  
13 manner consistent with the public health, safety, or welfare, as follows:

14 a. On or about April 14, 2009, after pleading guilty, Respondent was convicted of one  
15 misdemeanor count of violating Vehicle Code section 23152(a) [driving while under the  
16 influence of alcohol], and convicted of one infraction count of violating Vehicle Code  
17 section 22349(a) [speeding] in the criminal proceeding entitled *The People of the State of*  
18 *California v. Amanda Michelle Jines* (Super. Ct. San Bernardino County, 2009, No. TSB900696).  
19 The both counts, the Court sentenced Respondent to one (1) day in jail, placed her on 36 months  
20 of probation, and ordered her to complete a 4-month 1<sup>st</sup> Offender Alcohol Program.

21 b. The circumstances underlying the conviction are that on or about January 13, 2009,  
22 Respondent drove a vehicle with tested blood alcohol levels of 0.10%/0.10%, and admitted to  
23 drinking two (2) Jack and Cokes, and two (2) beers.

24 **SECOND CAUSE FOR DISCIPLINE**

25 **(Alcohol Related Conviction)**

26 13. Respondent is subject to disciplinary action under sections 2878 and 2878.5,  
27 subdivision (c), on the grounds of unprofessional conduct, in that on or about April 14, 2009,  
28 Respondent was convicted of a crime involving the consumption of alcohol. Complainant refers

1 to and by this reference incorporates the allegations set forth above in paragraph 12,  
2 subparagraphs a and b, inclusive, as though set forth fully.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(Dangerous Use of Alcoholic Beverages)**

5 14. Respondent is subject to disciplinary action under sections 2878, subdivision (a),  
6 and 2878.5, subdivision (b), on the grounds of unprofessional conduct, Respondent used alcoholic  
7 beverages in a manner dangerous or injurious to herself or others, as follows:

8 a. On or about January 13, 2009, as more fully set forth above in paragraphs 12 and 13,  
9 inclusive, and incorporated herein in full.

10 b. On or about September 11, 2009, Respondent while driving under the influence of a  
11 tested blood alcohol level of 0.15% caused a single vehicle automobile accident wherein she was  
12 driving and looking at her cell phone, and her vehicle struck a highway safety post and rolled  
13 over<sup>1</sup>.

14 **FOURTH CAUSE FOR DISCIPLINE**

15 **(Failure to Abstain from Chemical/Substance Abuse)**

16 15. Respondent is subject to disciplinary action under California Code of Regulations,  
17 title 16, section 2518.6, subdivision (c), for violating subdivision (b)(4), in that on or about  
18 January 13, 2009, and on or about September 11, 2009, Respondent failed to abstain from the  
19 abuse of alcohol, a chemical substance. Complainant refers to and by this reference incorporates  
20 the allegations set forth above in paragraphs 12 b, and 14 b, inclusive, as though set forth fully.

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25 <sup>1</sup> On or about January 5, 2010, in the criminal proceeding entitled *the People of the State*  
26 *of California v. Amanda M. Jines* (Super. Ct. San Bernardino County, 2009, No. TSB904181)  
27 alleging violations of Vehicle Code sections 23152(a) [driving under the influence of alcohol]  
28 and 23152(b) [driving while having a 0.08% blood alcohol or more], misdemeanors, and Vehicle  
Code section 23154(a) [driving under the influence of alcohol while on probation], an infraction,  
the Court issued a \$10,000 Bail Warrant for Respondent's failure to appear upon written promise,  
Colton Police Department, Notice to Appear No. 363202.

1 **FIFTH CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct)**

3 16. Respondent is subject to disciplinary action under section 2878, subdivision (a) and /  
4 or (d), in that Respondent committed acts of unprofessional conduct and / or violated provisions  
5 of the Vocational Nursing Practice Act. Complainant refers to and by this reference incorporates  
6 the allegations set forth above in paragraphs 12 - 15, inclusive, as though set forth fully.

7 **DISCIPLINE CONSIDERATIONS**

8 17. To determine the degree of discipline, Complainant alleges that:

9 a. On or about December 21, 2007, concurrent with issuance of Respondent's  
10 vocational nurse license issuance, the Board issued a Notice of Warning Letter to Respondent for  
11 sustaining prior criminal convictions violating section 480.

12 b. On or about April 17, 2006, after pleading guilty, Respondent was convicted of one  
13 misdemeanor count of violating Penal Code section 484(a) [petty theft] in the criminal proceeding  
14 entitled *The People of the State of California v. Amanda Michelle Jines* (Super. Ct. San  
15 Bernardino County, 2006, No. MSB092571). The Court placed Respondent on 36 months of  
16 probation. The circumstances underlying the conviction are that on or about February 4, 2006,  
17 from Gottshalks at Inland Center Mall, Respondent was arrested for shoplifting three shirts  
18 valued at \$100 (\$44, \$32, + \$24).

19 c. On or about April 17, 2006, after pleading guilty, Respondent was convicted of one  
20 misdemeanor count of violating Vehicle Code section 23140(a) [under 21 with a blood alcohol  
21 level of 0.05% or greater] in the criminal proceeding entitled *The People of the State of California*  
22 *v. Amanda Michelle Jines* (Super. Ct. San Bernardino County, 2006, No. TSB119839). The  
23 Court sentenced Respondent to 30 days in jail, placed her on 36 months of probation, and ordered  
24 her to complete a 1<sup>st</sup> Offender Alcohol Program. The circumstances underlying the conviction  
25 are that on or about January 28, 2006, Respondent was driving while under the influence of  
26 alcohol.

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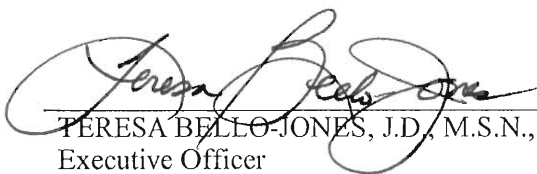
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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1. Revoking or suspending Vocational Nurse License No. VN 232341, issued to Amanda Michelle Jines;
2. Ordering Amanda Michelle Jines to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: February 22, 2011



TERESA BELLO-JONES, J.D., M.S.N., R.N.  
Executive Officer  
Board of Vocational Nursing and Psychiatric Technicians  
Department of Consumer Affairs  
State of California  
*Complainant*

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